

**SPECIAL MEETING
BUFFALO COUNTY BOARD OF SUPERVISORS
TUESDAY, FEBRUARY 3, 2009
9:00 A.M.**

A special meeting of the Buffalo County Board of Supervisors was held at 9:00 A.M. on Tuesday, February 3, 2009.

Chairman Pierce led the County Board and audience in the Pledge of Allegiance. Chairman Pierce called the special meeting to order with the following Board members responding to roll call: Horace Dannehl, Ivan Klein, William McMullen and Richard Pierce. Absent: Kent Greder, Timothy Loewenstein and Sherry Morrow. (Kent Greder arrived at 9:19 A.M.)

Posting and publishing gave notice of the meeting in advance, thereof. Notice of the meeting was simultaneously given to all members of the Board of Supervisors; and availability of the agenda was communicated in the advance notice and in the notice to the Board of Supervisors of this meeting. Said agenda was also furnished to all area news media. A copy of the acknowledgment and receipt of notice and agenda by the Board of Supervisors is attached to these minutes. County Clerk Janice Giffin took all proceedings hereinafter shown while said meeting was open to the public. County Attorney Shawn Eatherton was present.

Chairman Pierce called for Citizen's forum and no one was present at this time to address the Board.

Lynne Heiden with American Real Estate and Associates and Craig Bennett from Miller and Associates were present to discuss 39th Street West Street Improvements. Also invited to the meeting for discussion were Highway Superintendent Ron Sklenar, City of Kearney Director of Public Works, Rod Wiederspan and City of Kearney Engineer Bruce Grupe. Bennett discussed the project with an overhead presentation. In order for the Development Project to move forward, the request is that Buffalo County and the City of Kearney place this project on the One and Six Year Road Plan. A copy of the presentation is on file with the County Clerk and the One and Six Year Road Plan is scheduled to be reviewed on February 10, 2009 with the public hearing on February 17, 2009.

JUSTICE CENTER PROJECT

Buster Beckenhauer, Construction Manager of the Justice Center Project was present for the bid opening of Phase 1C project. Chairman Pierce called for the bid opening for the Construction of Phase 1C Justice Center Project. Clerk Giffin, assisted by Deputy County Clerk Leora Hofmann, opened the sealed bids and read them aloud with the following companies submitting bids for the project: Middleton Electric, Inc., Kelly Electric Company, Willmar Electric Service Corp., Anderson Bros. Electric, Plumbing & Heating, Inc., Fiddelke Heating & Air Conditioning, Inc., Dave Waggoner Plumbing & Htg. Inc., Anderson Bros. Electric, Plumbing & Heating, Inc., Bamford Inc., EPCO Ltd. Inc., Kucera Painting, Inc., Don Wasson Company, Amax Contracting, Inc., T-C Ceilings Inc., Essink Bros. Drywall, Inc., Mitchell Drywall Inc., Kearney Glass Inc., Metal Doors & Hardware Co., Johnson Hardware Co., Midwest Door & Hardware, Inc., Ziemba Roofing Company, Beckenhauer Construction, Inc., Total Interiors Inc., Quigley Construction, Central Plains Millwork, Inc., Custom Woodworks, Ltd., Innovative Laboratory Systems, Inc., Mark's Custom Woodworking, LLC, Western Laminates Inc., Consteel Erectors Inc., Davis Erection Co., Inc., Central Nebraska Steel, Newsteel Inc., Arrowhead Steel Fabricators, Kully Pipe & Steel Supply Inc. and M&D Masonry, Inc. Copies of the bids will be reviewed by the Construction Manager Buster Beckenhauer and the bid decisions will be made at the February 10, 2009 Board meeting.

REGULAR AGENDA

County Surveyor Trenton Snow was present to discuss an architectural survey of the Buffalo County Fairgrounds. Moved by Greder and seconded by McMullen to approve this request of survey to be conducted by County Surveyor Snow. Upon roll call vote, the following Board members voted "Aye": Greder, McMullen, Dannehl, Klein and Pierce. Absent: Loewenstein and Morrow. Motion declared carried.

Deputy County Attorney Andrew Hoffmeister was present to discuss the contract for the purchase of the U.S. Army Reserve Center Property. The contract is on file with the County Clerk and the following Resolution 2009-04 was presented. Moved by Dannehl and seconded by McMullen to ratify all actions taken by County Officials with the approval of Resolution 2009-04. Upon roll call vote, the following Board members voted "Aye": Dannehl, Greder, Klein, McMullen, and Pierce. Absent: Loewenstein and Morrow. Motion declared carried.

RESOLUTION 2009-04

WHEREAS, in Resolution 2008-055 this Board approved option to purchase of land then described as former Army Reserve Center, Kearney, Nebraska to be purchased from Judy Kreutz, a single person, and

WHEREAS, said Buffalo County, exercised its option to purchase this property, with certain modifications, all as evidenced in Resolution 2008-066 approved by this Board on December 9, 2008, and

WHEREAS, the Buffalo County and Judy Kreutz have executed a contract for purchase of real estate that includes modification requested by this Board in Resolution #2008-066, and the contract has been reviewed by this Board this date and this Board should ratify this agreement,

NOW THEREFORE, BE IT RESOLVED THAT THE BUFFALO COUNTY BOARD OF SUPREVISORS that all actions taken by County Officials towards the purchase of property formerly known as the Army Reserve Center, Kearney, Nebraska, legally described as:

Lots Two (2) through Six (6) inclusive in Block One (1), and Lots One (1) through Eight (8) inclusive in Block Two (2), Kreutz Addition to the City of Kearney, Buffalo County, Nebraska

Shall be and hereby are ratified and approved by this Board,

FURTHER RESOLVED that claims for payment of the same shall be drawn and the same are approved for the payment in amounts specified in the ratified agreement.

RESOLVED FURTHER, that a copy of this resolution shall be filed against such property after filing deed of transfer.

Moved by Klein and seconded by Dannehl to move into Executive Session at 10:08 A.M. to discuss contract negotiations and personnel. In addition to all Board members present, County Attorney Eatherton was present. Upon roll call vote, the following Board members voted "Aye": Klein, Dannehl, Greder, McMullen and Pierce. Absent: Loewenstein and Morrow. Motion declared carried.

Moved by Dannehl and seconded by Greder to return to the open meeting at 10:14 A.M. Upon roll call vote, the following Board members voted "Aye": Dannehl, Greder, Klein, McMullen and Pierce. Absent: Loewenstein and Morrow. Motion declared carried.

Chairman Pierce asked if there was anything else to come before the Board at 10:18 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday, February 10, 2009 at 9:00 A.M.